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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Jeffery R. Raymond et al.
Application No.	:	10/624,946
Confirmation No.	:	7685
Filed	:	July 21, 2003
For	:	3-NITROGEN-6,7-DIOXYGEN STEROIDS AND USES RELATED THERETO
Art Unit	:	1614
Docket No.	:	480117.407C1
Date	:	September 2, 2004

Mail Stop PG PUB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED APPLICATION PUBLICATION

Commissioner for Patents:

In response to the Notice of Publication of Application, dated July 15, 2004, Applicants respectfully request correction and republication of the above-identified application which they believe to contain material errors.

In particular, lines 1-2 of Claim 38 in the published patent application **incorrectly** read as follows:

38. A compound of claim 1 wherein –N(R I)(R^2) is in a salt form and the salt is a halogen or acetate salt.

These lines should **correctly** read as follows:

38. A compound of claim 1 wherein $-N(R^1)(R^2)$ is in a salt form and the salt is a halogen or acetate salt.

To assist the Office in identifying the error, enclosed is a copy of page 52 of the published patent application, with a red circle around the language in the claim that was incorrectly printed. A copy of the corresponding page of the patent application (Page 124) as originally filed is likewise attached, with a red circle around the correct language in the claim.

This error is material in that it affects the scope of Claim 38.

Applicants respectfully request that the above-noted material error be corrected and that the application be republished by the Office. As the error was made on the part of the USPTO, no fee should be due.

The Office is requested to contact the undersigned at (206) 622-4900 should any additional issue require attention prior to a final decision being made by the Office.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

Carol J. Roth
Registration No. 32,783

CJR:cw
Enclosures:
Transmittal Form
Page 124 of the Application as filed
Page 52 of the Published Application

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	10/624,946
Filing Date	July 21, 2003
First Named Inventor	Jeffery R. Raymond
Group Art Unit	1614
Examiner Name	
Attorney Docket No.	480117.407C1

ENCLOSURES (*check all that apply*)

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Response
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement; Form PTO-1449
- [ ] Cited References
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
- [ ] Response to Missing Parts/Incomplete Application
- [ ] Drawing(s)
- [ ] Request for Corrected Filing Receipt
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation, Change of Correspondence Address
- [ ] Declaration
- [ ] Statement under 37 CFR 3.73(b)
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD(s), Number of CD(s) _____
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Return Receipt Postcard
- [x] Additional Enclosure(s) *(please identify below)*:

Request for Corrected Application Publication;
Copy of Page 52 of the Application as filed;
Copy of Page 124 of the Published Application

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Carol J. Roth Registration No. 50,922	Customer Number 00500
Signature	Carol J Roth	
Date	September 2, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	~~ Sent via Express Mail ~~	
Signature		Date:

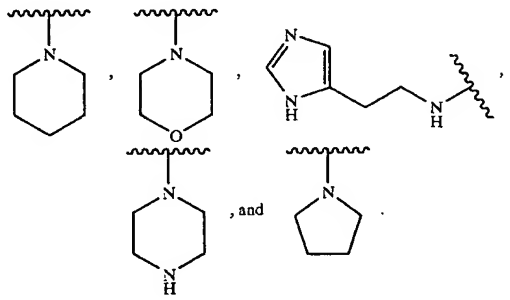
19. A compound of claim 1 wherein 17 is substituted with —OR^6 or =O, wherein R^6 is hydrogen.

20. A compound of claim 1 wherein R^1 is selected from —C(=O)—R^7, —C(=O)NH—R^7; —SO_2—R^7; wherein R^7 is selected from alkyl, heteroalkyl, aryl and heteroaryl.

21. A compound of claim 20 wherein R^7 is selected from $C_{1\text{-}10}$hydrocarbyl.

22. A compound of claim 20 wherein R^7 comprises biotin.

23. A compound of claim 1 wherein $(R^1)(R^2)N$— is selected from



, and

24. A compound of claim 1 wherein R^1 is hydrogen and R^2 comprises a carbocycle.

25. A compound of claim 24 wherein the carbocycle is phenyl.

26. A compound of claim 25 wherein R^2 is selected from 3-methylphenyl; 4-hydroxyphenyl; and 4-sulfonamidephenyl.

27. A compound of claim 1 wherein R^1 is hydrogen and R^2 comprises a $C_{1\text{-}10}$hydrocarbyl.

28. A compound of claim 1 wherein R^1 is hydrogen and R^2 is heteroalkyl.

29. A compound of claim 28 wherein R^2 is selected from $C_{1\text{-}10}$alkyl-W—$C_{1\text{-}10}$alkylene- wherein W is selected from O and NH; HO—$C_{1\text{-}10}$alkylene-; and HO—$C_{1\text{-}10}$alkylene-W—$C_{1\text{-}10}$alkylene- where W is selected from O and NH.

30. A compound of claim 1 wherein R^1 is hydrogen and R^2 is —CH_2—R^7 wherein R^7 is selected from alkyl, heteroalkyl, aryl and heteroaryl.

31. A compound of claim 30 wherein R^7 is selected from alkyl-substituted phenyl; halogen-substituted phenyl; alkoxy-substituted phenyl; aryloxy-substituted phenyl; and nitro-substituted phenyl.

32. A compound of claim 1 wherein each of R^1 and R^2 is hydrogen.

33. A compound of claims 1 or 32 wherein each of R^3 and R^4 is hydrogen.

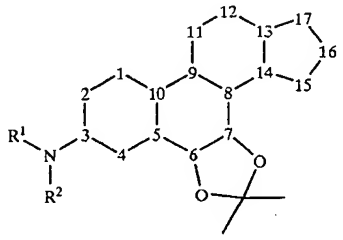
34. A compound of claims 32 or 33 where the carbon at numeral 17 is substituted with

(a) one of the following: $C(R^{5a})(R^{5a})$, =C=$C(R^{5a})(R^{5a})$, and —$C(R^{5a})(R^{5a})(C(R^{5a})(R^{5a}))_n$— wherein n ranges from 1 to about 6; or

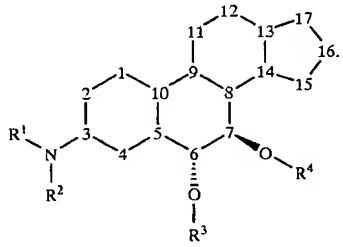
(b) two of the following, which are independently selected: —X, —$N(R^1)(R^2)$, and —R^{5a};

where R^{5a} at each occurrence is independently selected from H, X, and $C_{1\text{-}30}$ organic moiety that may optionally contain at least one heteroatom selected from the group consisting of boron, halogen, nitrogen, silicon and sulfur; where two geminal R^5 groups may together form a ring with the carbon atom to which they are both bonded.

35. A compound of claim 1 wherein R^3 and R^4 together form a ketal of the structure



36. A compound of claim 1 wherein —OR^3 and —OR^4 have the stereochemistry shown



37. A compound of claim 1 wherein —$N(R^1)(R^2)$ is in a salt form.

38. A compound of claim 1 wherein —$N(R^1)(R^2)$ is in a salt form and the salt is a halogen or acetate salt.

39. A compound of claim 1 which is a prodrug of the formula shown in claim 1.

40. A compound of claim 1 and pharmaceutically acceptable salts, solvates, stereoisomers but not prodrugs thereof, in isolation or in mixture.

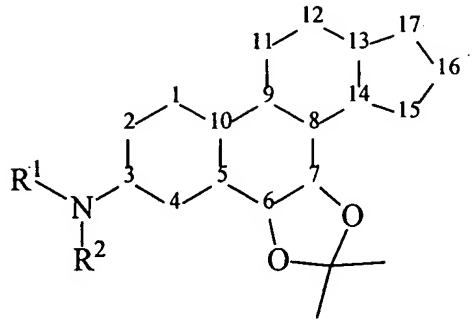
41. A compound of claim 1 wherein at least one of the carbons at numerals 10 and 13 are substituted with methyl.

42. A compound of claim 1 wherein each of R^1 and R^2 are independently selected from hydrogen and organic groups having 1-20 carbons and optionally containing 1-5 heteroatoms selected from nitrogen, oxygen, silicon, and sulfur.

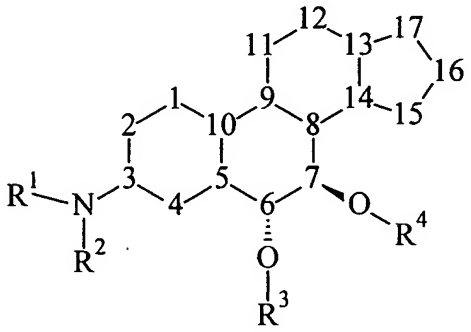
43. A compound of claim 1 wherein

R^1 and R^2 are independently selected from hydrogen, R^8, R^9, R^{10}, R^{11} and R^{12} where R^8 is selected from alkyl, heteroalkyl, aryl and heteroaryl; R^9 is selected from $(R^8)_r$-alkylene, $(R^8)_r$-heteroalkylene, $(R^8)_r$-arylene and $(R^8)_r$-heteroarylene; R^{10} is selected from $(R^9)_r$-alkylene, $(R^9)_r$-heteroalkylene, $(R^9)_r$-arylene, and $(R^9)_r$-heteroarylene; R^{11} is selected from $(R^{10})_r$-alkylene, $(R^{10})_r$-heteroalkylene, $(R^{10})_r$-arylene, and $(R^{10})_r$-heteroarylene, R^{12} is selected from $(R^{11})_r$-alkylene, $(R^{11})_r$-heteroalkylene, $(R^{11})_r$-arylene, and $(R^{11})_r$-heteroarylene, and r is selected from 0, 1, 2, 3, 4 and 5, with the proviso that R^1 and R^2 may join to a common atom so as to form a ring with the common atom.

35. A compound of claim 1 wherein R^3 and R^4 together form a ketal of the structure



36. A compound of claim 1 wherein $-OR^3$ and $-OR^4$ have the stereochemistry shown



37. A compound of claim 1 wherein $-N(R^1)(R^2)$ is in a salt form.

38. A compound of claim 1 wherein $-N(R^1)(R^2)$ is in a salt form and the salt is a halogen or acetate salt.

39. A compound of claim 1 which is a prodrug of the formula shown in claim 1.

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